IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7229 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PATEL DAHYABHAI BHIKHABHAI

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MS ARCHANA U AMIN for Petitioner No. 1

MR BIPIN I MEHTA for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 03/09/2001

ORAL JUDGEMENT

Rule. Mr.Bipin I.Mehta, learned Counsel appears for respondent-authority and waives service of rule.

2. Heard the learned Counsel for the parties.

3. This petition has been filed for the direction to

the respondent-authority to correct the date of birth of the petitioner in the passport on the basis of the birth certificate issued by the Competent Authority as 24th September, 1951 in place of 27th September, 1951. The petitioner has also applied for the correction of the date of birth in passport before the authority concerned and the authority concerned is saying that it has no authority to correct the date of birth in the passport unless some order is received from the Competent Court.

4. In the facts and circumstances of the case, this petition is being disposed of finally with a direction to the respondent-authority to consider and decide the application of the petitioner on the basis of the material produced before it regarding the correction of the date of birth in the passport, preferably within one month. In case the authority is satisfied that some mistake has been committed in mentioning the date of birth in the passport due to any reason and the proper certificate has been produced in support of the contention of the petitioner, the appropriate authority will make necessary correction in the passport regarding date of birth. The authority will be at liberty to pass appropriate orders regarding the cost of the proceedings.

Rule is made absolute with no order as to costs.
Direct service is permitted.

(Kundan Singh, J)
'Bhavesh'